

REMARKS

Appended to this response is an Information Disclosure Statement filed with a copy of the Kephart et al. publication mentioned in the specification at page 19, lines 28-32. The fee specified by 37 CFR 1.17(p) is also provided for. The Examiner is respectfully requested to consider this publication and to make it of record.

The previously revised Abstract has been amended to correct the defect noted by the Examiner.

Claims 1-31 were pending in this patent application, and claims 32-80 have been newly added. Claims 1-80 are now pending in the patent application.

Claims 1-31 were all rejected for the reasons of record. The rejections are respectfully disagreed with, and are traversed below.

It is noted that a number of the claims have been amended to even further improve their clarity, and that this amendment has also served to even further distinguish and distance the subject matter of the claims from the teachings of the references that were cited and relied on by the Examiner.

Claims 29 and 30 were rejected under 35 U.S.C. 112, second paragraph for the reasons of record.

Without admitting that these claims are in any way indefinite, claim 29 was amended to remove the reference to "acceptance" and to thus to state that "the electronic commerce transaction comprises at least an offer to provide goods or services based on stipulated terms", and that the method includes "intercepting an electronic commerce transaction with an electronic commerce transaction filter that is interposed between two data communication network components; redirecting the intercepted electronic commerce transaction to a third party; and providing the third party the opportunity to provide the goods or services for the stipulated terms or for other terms related to the stipulated terms."

By removing the explicit reference to "acceptance" any possible unclarity in claims 29 and 30 has also been removed.

The independent claims 1, 26-29 and 31 have all been rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al. (US 5,740,355) and Talati et al. (US 5,903,878). These rejections are respectfully disagreed with, and are traversed below.

Watanabi et al. teaches a transaction tracing system used in a network having a server and a number of clients connected via a transfer path. The system of Watanabe et al. is basically a passive packet filter that copies messages for off-line use. The transaction tracing system includes a trace control module that controls the system based on a trace instruction file having a log file name, a filter file name, and analysis instructions having corresponding specification information. The system also includes a filter creation module that creates an extraction filter and an analysis filter used in the extraction of a particular conversation sequence from a packet log; a line collection module that collects transmission information from the transfer path for creating a transmission log; an application log extraction module that extracts from the transmission log an application log of a particular conversation sequence specified by the extraction filter; and a performance analysis module that extracts the particular conversation sequence, specified by the analysis filter, from the application log, and that analyzes the transaction to produce an analysis result. The system also includes a graph display module that displays graphs based on the analysis results of the performance analysis module.

There is no discussion of a filter, such as an active filter, that is capable of parsing or otherwise examining standardized messages, such as messages cast in a "known form", and then selectively one of, by example, alter, redirect or block messages, in particular messages associated with an electronic commerce transaction.

Talati et al. describe a technique for a receiver of a message to verify its origin by sending a challenge back to the originator via a transaction administrator. While the description and claims of Talati et al. mention electronic commerce transactions, there is no description of any process

or apparatus for intercepting, parsing or filtering messages, in particular messages associated with an electronic commerce transaction. Col. 2, line 50 to col. 3, line 60 (and Figures 1-10 and associated text) that were mentioned by the Examiner clearly do not disclose or suggest the claimed subject matter, such as the subject matter found in claim 29.

Claims 1-10, 13, 14, 16-21, 24, 26-29 and 31 were all rejected under 35 U.S.C 102(e) as being anticipated by Noll et al. (US 2002/0054087 A1).

Noll et al. simply teach a system and method for delivering broadband content that is personalized for a recipient user. Fig. 17 shows an e-commerce router 86 that is part of the network operations center (NOC) 12 (see Fig. 1). The operation of the e-commerce router 86 is described in paragraphs 0100 and 0100, and in Fig. 21. While the operation of the e-commerce router 86 is not completely clear from the description given by Noll et al., it apparently requires some type of manual operations, i.e.:

"the e-commerce router 86 is preferably a server responsible for routing e-commerce opportunities to clients 20 and re-routing e-commerce transactions to third-party e-commerce providers. Web-based e-commerce opportunities within the system 10 that are broadcast as part of a virtual channel 124 are preferably first processed at the NOC 12 (e.g., by NOC staff) to implement an "interception" of purchase transactions back to the NOC 12. When a user selects an e-commerce opportunity for purchase (or other use) via a client 20, the e-commerce purchase is preferably intercepted by the NOC 12, and specifically by the e-commerce router 86 (e.g., via the Internet). The e-commerce router 86 preferably records each incoming (secure) purchase in a transaction database 861. The e-commerce router 86 then preferably automatically securely re-routes the purchase to the originally defined destination, as indicated by the re-route transaction block 862. The implementation of this e-commerce routing provides a strict control mechanism for the tracking of e-commerce generated revenues, and enables the proactive invoicing of partner e-commerce retailers. As seen in FIG. 17, the e-commerce router 86 and the transaction database 861 may generate a commercial invoice that charges the e-commerce retailers/providers for e-commerce transactions routed through the e-commerce router 86 (and hence, generated through the system 10)." (emphasis added).

The foregoing disclosure clearly does not suggest, as examples, at least the enforcement of a policy for an administrative domain, or a modification of an e-commerce transaction (paragraphs

61 and 62 appear to be related to the management of content, and Fig. 17 was referred to above),.

In any event, independent claims 1, 26, 27, 28 and 31 were all similarly amended to refer to, as in claim 1:

"inputting the electronic commerce transaction to an electronic commerce transaction filter that is interposed between two network components at a location where electronic commerce transaction related messages and message data are cast in a known form for enabling the electronic commerce transaction filter to interpret at least one characteristic of the electronic commerce transaction in a manner that is independent of a particular electronic commerce program that originated the electronic commerce related messages and message data" (emphasis added).

Support for this amendment can be found in the specification at least at page 10, lines 12-29; page 11, lines 20-22 and 26-30; page 12, lines 11-13; and page 14, lines 25-33. No new matter is added.

The independent claims 1, 26, 27, 28 and 31, particularly as now clarified by amendment, are all clearly patentable over the various references that were cited by the Examiner, either taken alone or in combination, as none of these references expressly discloses or suggests the claimed subject matter. This applies as well to the Rodriguez et al. publication, which appears to provide a technique for users to pre-select procedures that an interactive server will follow for particular types of online purchases; and to the encryption processes disclosed by Robinson et al.

The subject matter of claim 29, also as further clarified by amendment, is not disclosed or suggested by the references that were cited and applied by the Examiner. As examples, paragraphs [55] and [83] of Rodriguez et al. appear to be related instead to enabling single execution transactions and setting a monetary amount maximum threshold for single execution transactions, respectively, and the above-mentioned col. 2, line 50 to col. 3, line 60 (and Figures 1-10 and associated text) of Talati et al. also do not disclose or suggest the claimed subject matter of claim 29.

Claims 1-31 are deemed to be allowable over the references that were cited and applied by the Examiner, and the Examiner is respectfully requested to reconsider and remove the expressed rejections.

The newly added claims 32-80 are also deemed to be clearly allowable over all of the references that were cited and relied on by the Examiner. For example, claim 32 is drawn to a computer-readable medium that comprises computer program instructions for:

"directing a computer to respond to a receipt of electronic commerce transaction related information that is originated at a first party for transmission through a data communications network towards an intended party, the computer being coupled between a first network component and a second network component at a location where the electronic commerce transaction related information exists in a known form; the computer program instructions causing the computer to interpret the electronic commerce transaction related information based on knowledge of the known form; and to take some action with respect to the electronic commerce transaction." (emphasis added)

For at least the reasons argued above, the independent claims 32 and 62 should be found to be allowable over the references that were cited and relied on by the Examiner. This being the case, all claims that depend from these claims should be found to be allowable as well.

Support for these claims can be found throughout the specification, claims and drawings as filed. As further examples, the subject matter of claim 41 is discussed at least at page 18, lines 25-32; the subject matter of claims 55-60 and 63-68 is discussed at least at page 11, lines 20-32 and at page 14, lines 25-33; and the subject matter of claims 61 and 69 is discussed at least at page 22, lines 30-32. No new matter is added.

The newly added independent claim 70 recites in part that a system operates to provide:

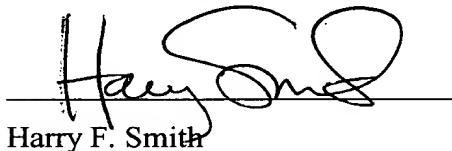
"a service over a data communications network to a first entity having at least one electronic commerce transaction filter disposed within a first data processing system associated with the first entity for monitoring electronic commerce

transactions, said at least one electronic commerce transaction filter being disposed at a location where electronic commerce transaction related messages and message data are cast in a known form and operating to interpret, based at least on a content of a filter criteria module, at least one characteristic of electronic commerce transactions in a manner that is independent of a particular electronic commerce program that originated the electronic commerce related messages and message data; further comprising a second data processing system associated with a service provider second entity, said second data processing system being coupled to said at least one electronic commerce transaction filter over the data communications network for at least one of receiving information from and sending information to the electronic commerce transaction filter."

Support for this claim, and for claims 71-80 can be found in the specification at least at page 18, lines 9-23, and from page 19, line 14, to page 22, line 23. No new matter is added. The references that were cited and relied on by the Examiner are not seen to expressly disclose or suggest the claimed subject matter.

The Examiner is respectfully requested to reconsider and remove the previously expressed rejections, and to indicate the allowability of all of the now pending claims.

Respectfully submitted:



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